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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 MICHAEL HOLTSINGER,

No. CIV S-03-0732-MCE-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 J.M. BRIDDLE, et al.,

15 Defendants.  
16 \_\_\_\_\_/

17 Plaintiff, a state prisoner proceeding with appointed counsel, brings this civil  
18 rights action pursuant to 42 U.S.C. § 1983. Defendant Voros successfully petitioned this court  
19 to set aside her default, and she has filed an answer. This matter proceeds as against defendant  
20 Voros only; all other defendants in this action have been dismissed.

21 As an answer to plaintiff's complaint has been filed, this case is now at issue, and  
22 is in need of a status conference. Accordingly, a status conference is hereby set before the  
23 undersigned on November 20, 2008 at 10:00 a.m. in Redding, California.

24 Good cause appearing, IT IS HEREBY ORDERED that:

25 1. All parties shall appear by counsel or in person if acting without counsel.  
26 Plaintiffs proceeding pro se must each appear at the status conference and are reminded that they

1 may not make appearances for other plaintiffs proceeding pro se.

2           2.       The parties shall submit to the court and serve by mail on all other parties,  
3 no later than seven (7) days before the Status (Pre-trial Scheduling) Conference, a status report  
4 addressing the following matters:

- 5                   a. Service of process;
- 6                   b. Possible joinder of additional parties;
- 7                   c. Any expected or desired amendment of the pleadings;
- 8                   d. Jurisdiction and venue;
- 9                   e. Anticipated motions and the scheduling thereof;
- 10                  f. The proposed discovery plan developed pursuant to Federal Rule of  
11 Civil Procedure 26(f);
- 12                  g. The potential for settlement and specific recommendations regarding  
13 settlement procedures and timing, including whether a settlement  
14 conference should be scheduled and if so when, and whether referral to the  
15 court's Voluntary Dispute Resolution Program (see Local Rule 16-271) is  
16 appropriate in this case;
- 17                  h. Future proceedings, including setting appropriate cut-off dates for  
18 discovery and law and motion and the scheduling of a pretrial conference  
19 and trial;
- 20                  i. Modification of standard pretrial procedures specified by the rules due  
21 to the relative simplicity or complexity of the action or proceedings;
- 22                  j. Whether the case is related to any other case, including matters in  
23 bankruptcy;
- 24                  k. Whether the counsel will stipulate to the magistrate judge assigned to  
25 this matter acting as settlement judge and waiving any disqualifications by  
26 virtue of her so acting, or whether they prefer to have a Settlement  
Conference before another judge; and
- l. Any other matters that may add to the just and expeditious disposition  
of this matter.

24           3.       Plaintiff and defense counsel are reminded of their continuing duty to  
25 notify chambers immediately of any settlement or other disposition (see Local Rule 16-160). In  
26 addition, the parties are cautioned that pursuant to Local Rule 78-230(c), opposition to the

1 granting of a motion must be filed fourteen days preceding the noticed hearing date. The Rule  
2 further provides that “[n]o party will be entitled to be heard in opposition to a motion at oral  
3 arguments if written opposition to the motion has not been timely filed by that party.”  
4 Moreover, Local Rule 78-230(j) provides that failure to appear may be deemed withdrawal of  
5 opposition to the motion or may result in sanctions. Finally, Local Rule 11-110 provides that  
6 failure to comply with the Local Rules “may be grounds for imposition by the Court of any and  
7 all sanctions authorized by statute or Rule or within the inherent power of the Court.”  
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9 DATED: September 26, 2008

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11 **CRAIG M. KELLISON**  
12 UNITED STATES MAGISTRATE JUDGE  
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